

**Private & Confidential**

Mr Brian Jordan

By email to: Brian Jordan [president@tudublinsu.ie](mailto:president@tudublinsu.ie)

7<sup>th</sup> December 2023

Dear Mr Jordan,

**Re: Request for Access to Records under Freedom of Information (FOI) - Ref: FOI 23-078 –  
Decision Letter**

I refer to your request made under the FOI Act 2014 for access to records from TU Dublin which was received by the FOI Office on 23<sup>rd</sup> November 2023 by email. Your request sought: -

*I request the names of companies involved in the weapons industries (i.e., the manufacture, development, sale and distribution of weaponry and munitions) that TU Dublin currently invests in through its endowment funds, investments held in pensions, unit trusts and other financial products, along with the value of the investment in each. The above for fossil fuel companies.*

*To help with your search, I am setting out a couple of companies to look out for.*

*Aeroflex Ltd, Airbus Defence, Airbus Group Ltd, Airbus OP Ltd, BAE Marin Ltd, BAE Surface Ships, BMT Defence Ltd, Boeing, General Electric Co, Halliburton Energy, Halliburton Man, Hewlett Packard, Honeywell Ctrl, Leonardo, Lockheed Martin, Qinetiq, Thales UK Ltd, BAE Systems, Rolls Royce, GKN, Smiths Group, Cobham, VT Group, General Dynamics, General Electric, Halliburton, L3 Communications, Northrop Grumman, Raytheon, and General Motors.*

*In addition, I request TU Dublin's full investment portfolio (the latest one).*

*In addition, I would like to request the name of, and value of, war-industry companies that give research funding to the institution, and a detailed description of what research is being conducted with these funds.*

*I would like to get this information digitally, via email.*

As the Decision Maker in this case, I made a final decision on your request today, 7<sup>th</sup> December 2023. Under Section 13 of the FOI Acts, I have decided to refuse you access to the information covered by your request.

The University has no records relating to such investments; therefore, this request is being refused on administrative grounds under Section 15(1)(a) of the Act which states that an FOI Request may be refused

if the record concerned does not exist or could not be found after all reasonable steps to ascertain their whereabouts were taken.

*Section 15 (1) (a) of the FOI Act 2014 states:*

*“a head to whom an FOI request is made may refuse to grant the request where the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken”.*

## **Right of Appeal**

Upon receipt of this reply, if you are not content with the outcome or the decision made, you are entitled to seek an internal review under Section 21(7) of the Act. A request for an internal review should be made within four weeks of the date of this decision by writing to: *The Information Governance Manager, Technological University Dublin, Tallaght Campus, Blessington Road, Tallaght, Dublin 24, D24 FKT9* or by email to [foi@tudublin.ie](mailto:foi@tudublin.ie). An appeal will involve a complete reconsideration of the matter by a more senior member of staff within the University.

The making of a late request for internal review may be permitted in certain circumstances. If your request relates to non-personal information, you are liable for a fee of €30 (€10 for Medical Card holders) when you request an internal review. Please contact [foi@tudublin.ie](mailto:foi@tudublin.ie) for details of electronic payment methods. A copy of your review rights and schedule of charges under the FOI legislation is also attached for your information.

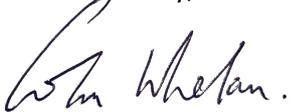
If you are unhappy with the response you receive to your internal review request, you have a right to appeal to the Office of the Information Commissioner. This appeal must be made within 6 months of the date of the internal review decision and may be made by writing to: -

**Mr. Ger Deering, Information Commissioner, 6 Earlsfort Terrace, Dublin 2, D02 W773**

If your request relates to non-personal information you are liable for a fee of €50 (€15 for Medical Card holders) and this fee is payable to the Office of the Information Commissioner on lodging your appeal.

Should you have any queries with respect to the above please do not hesitate to contact the FOI Office by email at [foi@tudublin.ie](mailto:foi@tudublin.ie).

Yours sincerely,



Colm Whelan  
Head of Finance

## **Enclosures**

**Seoladh Cláraithe / Registered Address**  
OT Baile Átha Cliath - Teach na Páirce Ghráinseach Ghormáin  
191 An Cuarbhóthar Thuaidh, D07 EWW4, Éire  
TU Dublin - Park House Grangegorman  
191 North Circular Road, D07 EWW4, Ireland

**OT Baile Átha Cliath**  
**Teach na Páirce Ghráinseach Ghormáin**  
191 An Cuarbhóthar Thuaidh  
D07 EWW4, Éire

**TU Dublin**  
**Park House Grangegorman**  
191 North Circular Road  
D07 EWW4, Ireland

~ +353 1 402 3000  
~ tudublin.ie

## **Summary of Review Rights:**

### **Freedom of Information Act 2014 Section 27 Summary**

You are entitled to a review of the Technological University Dublin (TU Dublin) response to your Freedom of Information (FOI) request.

The Act gives you the right to seek a review of such decisions and actions where the University decides to:

- Refuse your FOI request or
- Exclude all or part of particular records, or
- Give access in a form other than you requested, or
- Charge a fee or deposit for access to records.

#### **Decision on an FOI Request:**

A final decision on your request will normally be sent to you within four weeks (20 working days) of its receipt. Where it is necessary to seek a charge or to consult with third parties, this deadline is extended appropriately. If you have not received a decision within the allotted time, you are automatically entitled to ask the University for an Internal Review of the matter.

#### **Reasons for Decisions:**

If you sought reasons for a decision made by the Technological University Dublin (TU Dublin), you are also entitled to an internal review of the response to that request.

#### **Internal Review:**

If you are unhappy with the decision or response to your FOI request and wish to seek a review, you can do so by writing to **Freedom of Information Officer, Information and Governance Office**, Technological University Dublin, Tallaght Campus, Blessington Road, Tallaght. Dublin 24, D24 FKT9 or by email: [foi@tudublin.ie](mailto:foi@tudublin.ie).

A charge of €30 is required **for non-personal requests** and a reduction can be made under special circumstances (see overleaf).

You should state:

- The details of your initial request and
- What decision or action you wish to have reviewed and
- The reasons why you believe the University's response has been inadequate.

You will normally have four weeks to appeal an FOI decision. The Internal Review is a full and new consideration of the matter carried out by a more senior member of staff within the University.

#### **External Review:**

Where you are dissatisfied with the outcome of the internal review you can make a further appeal to the **Information Commissioner** by post: Office of the Information Commissioner, 6 Earlsfort Terrace, Dublin 2, D02 W773 or by email: [info@oic.ie](mailto:info@oic.ie). A charge of €50 is required **for non-personal requests** and a reduction can be made under special circumstances.

## Schedule of Fees and Charges: Freedom of Information Act 2014

Section 27 of the Freedom of Information Act 2014 provides for fees and charges as follows:

Type of Request or Application	Standard Fee*	Reduced Fee**
Initial request for a record under Section 12	No charge	No charge
Internal Review by TU Dublin under Section 21	€30	€10
External Review by Information Commissioner under Section 22	€50	€15
Application for amendment of a record containing incorrect, incomplete or misleading personal information under Section 9	No charge	No charge
Application for the reasons for a decision affecting the individual under Section 10	No charge	No charge

\* Fee will not apply where a person appeals a decision to charge a fee or deposit, or a fee or deposit of a particular amount under Section 27 of the FOI Act.

\*\* Reduced fee will apply in respect of persons covered by a medical card and third parties who appeal a decision of a public body to release their information on public interest grounds. Evidence of proof is required to be submitted by a medical card holder or the dependent of same who wishes to pay the reduced fees for a review under [section 21](#) or [section 22](#). A copy of the current medical card and written consent that the details may be verified if required must be submitted to the FOI Office.

\*\*\* No charge applies for internal/external review applications in relation to a decision concerning records containing personal information in relation to the requester, including a person belonging to a class of persons specified in regulations under Section 37(8) of the FOI Act.

### Charges for search, retrieval and copying of records:

Charges may be applied for the time spent finding and retrieving records, and for any copying costs incurred in providing you with the material requested:

- If the cost of search, retrieval and copying is €100 or less, no charge is applied.
- If the charge exceeds €100, full fees apply up to €500.
- If the estimated cost of search, retrieval and copying is more than €700 the University can refuse to process your request, unless you refine your request to bring the search, retrieval and copying fees below this limit.

Type of Charge	Standard Charge
Search and retrieval of records	€20 per hour
Photocopying	4 cent per sheet
CD-ROM containing copy of documents	€10
Radiograph (X-ray) containing copy documents	€6